

**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER  
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE  
STATE OF NEVADA HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office. FEB 22 1993

Returned to applicant for correction.

Corrected application filed. Map filed FEB 22 1993

The applicant. L. David Kiley and David A. Kiley

Post Office Box 1566 of Reno  
Street and No. or P.O. Box No. City or TownNevada (89505) hereby make application for permission to change the  
State and Zip Code No.Point of Diversion, Place and Manner of Use  
Point of diversion, manner of use, and/or place of useof water heretofore appropriated under. A portion of Claims 346 and 347 of the Orr Ditch  
Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and  
Decree, said Decree entered by the District Court of the United States for Nevada  
identify right in Decree.in that certain action entitled, The United States of America, Plaintiff vs. Orr  
Water Ditch Company, et al, Defendants, in Equity Docket A-3.1. The source of water is. Truckee River (Spanish Spring Valley Ditch)  
Name of stream, lake, underground spring or other source.2. The amount of water to be changed. As Decreed, not to exceed 335.6 acre feet per annum.  
Second feet, acre feet. One second foot equals 448.83 gallons per minute.3. The water to be used for. Municipal and Domestic Purposes  
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.4. The water heretofore permitted for. As Decreed, Irrigation and Stockwater  
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.5. The water is to be diverted at the following point. The Points of Diversion for Sierra's existing  
Describe as being within a 40-acre subdivision of public survey and by course and  
Water Treatment Plants as described on attached Exhibit "A", as shown on the map  
distance to a section corner. If on unsurveyed land, it should be stated.  
supporting Application Numbers 49886 and 49887 on file with the State Engineer's  
Office.6. The existing permitted point of diversion is located within. NE $\frac{1}{4}$  SW $\frac{1}{4}$  Section 17, T19N, R18E,  
If point of diversion is not changed, do not answer.  
MDM or at a point from which the Southwest corner of said Section 17 bears, S  
44° 40' W a distance of 3211.0 feet.7. Proposed place of use. The certificated water service area of Sierra Pacific Power  
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.  
Company as described in the legal description and shown on the supporting map  
on file with the State Engineer's Office, Division of Water Resources.8. Existing place of use. 13.7 acres SW $\frac{1}{4}$  NW $\frac{1}{4}$ , 2.2 acres NW $\frac{1}{4}$  NW $\frac{1}{4}$ , 14.1 acres NW $\frac{1}{4}$  SW $\frac{1}{4}$ , 16.4  
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or  
acres NE $\frac{1}{4}$  SW $\frac{1}{4}$  and 37.5 acres SE $\frac{1}{4}$  NW $\frac{1}{4}$  Section 22, T20N, R20E, MDM.  
manner of use of irrigation permit, describe acreage to be removed from irrigation.9. Use will be from. As Decreed to. of each year.  
Month and Day Month and Day10. Use was permitted from. As Decreed to. of each year.  
Month and Day Month and Day11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and  
specifications of your diversion or storage works.) Water will be diverted to the existing  
State manner in which water is to be diverted, i.e. diversion structure,  
facilities, treated and placed into the existing distribution system.  
ditches, pipes and flumes, or drilled well, etc.

12. Estimated cost of works. Sierra has invested more than Fifty Million Dollars.

13. Estimated time required to construct works. Two Years

14. Estimated time required to complete the application of water to beneficial use..... Ten Years
15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use:
- This application is transferring water for the purpose of annexing land in Spanish Springs to serve approximately 480 Single Family Homes in the City of Sparks with Sierra Pacific Water Service. This water will be deeded to the City of Sparks.
- By s/Richard W. Arden Agent  
950 Industrial Way  
Sparks, NV (89431)
- Compared bc/bc cl/cms
- Protested 5/18/93 by; Washoe County: WDN 8-10-93

APPROVAL  
OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion, place of use and manner of use of a portion of the waters of the Truckee River as heretofore granted under Claims 346 and 347, Truckee River Final Decree is issued subject to the terms and conditions imposed in said decree and with the understanding that no other rights on the source will be affected by the change proposed herein. A suitable measuring device must be installed and accurate measurements of water placed to beneficial use must be kept.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 1.135 cubic feet per second, but not to exceed 335.6 acre-feet as decreed.

Work must be prosecuted with reasonable diligence and be completed on or before N/A

Proof of completion of work shall be filed before N/A

Application of water to beneficial use shall be made on or before November 3, 2007

Proof of the application of water to beneficial use shall be filed on or before December 3, 2007

Map in support of proof of beneficial use shall be filed on or before N/A

Completion of work filed.....

Proof of beneficial use filed.....

Cultural map filed.....

Certificate No..... Issued.....

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.,  
State Engineer of Nevada, have hereunto set my hand and the seal of my  
office, this 3rd day of November  
97  
A.D. 19.....

By: Christine Thiel, P.E., Deputy State Engineer

EXHIBIT "A"

The following descriptions describe the points of diversion for Sierra Pacific Power Company Water Treatment Plants situate in the County of Washoe, State of Nevada, more particularly described as follows:

STEAMBOAT CANAL (HUNTER CREEK RESERVOIR):

The existing point of diversion situate within the Northeast one-quarter of the Southwest one-quarter (NE $\frac{1}{4}$  SW $\frac{1}{4}$ ) of Section 31, T. 19N., R. 18E., M.D.B.&M., Washoe County, Nevada, from said point of diversion, the Southeast corner of said Section 31 bears South 62° 04' East, a distance of 3195.0 feet.

HIGHLAND DITCH (HIGHLAND RESERVOIR):

The existing point of diversion is situate within the Southwest one-quarter of the Southeast one-quarter (SW $\frac{1}{4}$  SE $\frac{1}{4}$ ) of Section 9, T. 19N., R. 18E., M.D.B.&M., Washoe County, Nevada, from said point of diversion, the Southeast corner of said Section 9 bears South 75° 16' East, a distance of 1650.0 feet.

IDLEWILD TREATMENT PLANT:

The existing point of diversion is situate within the Southeast one-quarter of the Southeast one-quarter (SE $\frac{1}{4}$  SE $\frac{1}{4}$ ) of Section 10, T. 19N., R. 19E., M.D.B.&M., Washoe County, Nevada from said point of diversion, the Southeast corner of said Section 10 bears South 69° 57' 58" East, a distance of 842.34 feet.

NORTH TRUCKEE DITCH (GLENDALE TREATMENT PLANT):

The existing point of diversion is situate within the Southwest one-quarter of the Northeast one-quarter (SW $\frac{1}{4}$  NE $\frac{1}{4}$ ) of Section 7, T. 19N., R. 20E., M.D.B.&M., Washoe County, Nevada from said point of Diversion, the Northeast corner of said Section 7 bears North 39° 28' East, a distance of 3015.0 feet.